

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOMNIA, INC.,

Plaintiff,

-against-

CHANGE HEALTHCARE TECHNOLOGY
ENABLED SERVICES, LLC, as successor-in-
interest to PST SERVICES, INC., et al.,

Defendants.

ORDER

19-CV-08983 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court held an in-person conference on April 7, 2022 to address two discovery disputes that have arisen between the parties. Counsel for all parties appeared. The Court, as stated on the record, resolved the disputes as outlined below.

With respect to the first dispute, i.e., Plaintiff's request that Defendants be compelled to produce responsive records from sixty-four additional custodians, the Court reserved decision.

As for the second dispute, i.e., Plaintiff's request for read-only access to Defendants' database, the Court reserved decision on that issue as well. The parties are directed to have their experts meet and confer forthwith regarding what can be done with the data contained in the Client Deconversion File—that is, the raw data Defendant has already produced—so that Plaintiff's expert can utilize it. The parties shall, thereafter, file a joint letter by 5:00 p.m. on April 11, 2022, advising the Court as to: **(1)** the parties' solution following the meet and confers; **(2)** the date, time, and duration of each meet and confer, along with the identities of all who participated; and **(3)** the extra cost, if any, of the parties' solution.

In the event the solution proposed by the parties involves additional expenditures and the parties dispute who should bear that cost, the parties shall each file a letter explaining why their

adversary should bear the additional cost. These letters, to the extent they will be necessary, shall be no longer than three double-spaced pages and filed by 5:00 p.m. on April 11, 2022.

The parties are reminded that fact discovery in this action closes on April 18, 2022, and no further adjournments will be granted.

SO ORDERED:

Dated: White Plains, New York
April 7, 2022

A handwritten signature in black ink, appearing to read 'PHM', with a long, sweeping horizontal stroke extending to the right.

PHILIP M. HALPERN
United States District Judge